

EXPRESS MAIL NO. EL273178733US

**COPY**

**FORM PTO-1082**

NOV 19 1999

*Box Patent Application*

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of INVENTORS for METHOD OF DETERMINING THE PRESENCE OF A TRAIT IN A PLANT BY TRANSFECTING A NUCLEIC ACID SEQUENCE OF A NON-PLANT DONOR INTO A HOST PLANT IN A POSITIVE ORIENTATION.

Also, enclosed are:

1. Cover Sheet of Application
2. 23 Sheets of Drawings
3. Two (2) return postcards.

The filing fee has been calculated as shown below:

(Col. 1)	(Col. 2)	
FOR	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	111-20 =	91
INDEP. CLAIMS	11-3 =	8
■ MULTIPLE DEPENDENT CLAIM PRESENTED		

\*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

SMALL ENTITY		OTHER THAN A SMALL ENTITY	
RATE	FEES	RATE	FEES
	\$380.00		\$760.00
x 9 =	0.00	91 x 18 =	1,638.00
x 39 =	0.00	8 x 78 =	624.00
+ 130 =	0.00	+ 260 =	260.00
TOTAL		TOTAL	\$3,282.00

This application is being filed under 37 C.F.R. §1.53(b)(1) without declaration and filing fee. Also, this application is a CIP of U.S. Patent Application Serial No. 09/232, 170, filed January 15, 1999, which is a CIP of U.S. Patent Application Serial No. 09/008,186, filed January 16, 1998.

Date July 21, 1999

*Albert P. Halluin*  
Albert P. Halluin (25,227)

EXPRESS MAIL NO. EL264464191US

NOV 19 1999

Receipt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kumagai, Monto H., et al.

Application No. 09/359,300

Filed: July 21, 1999

For: Method of Determining the Presence  
of a Trait in a Plant by Transfected a  
Nucleic Acid Sequence of a Non-  
Plant Donor Into a Host Plant in a  
Positive Orientation

Art Unit: 1643

Examiner:

Attorney's Docket No: 08010137US07

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

**Box Application Processing Division's Customer Correction Branch**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants hereby further request that a corrected Official Filing Receipt be issued and sent to the undersigned representative. Specifically, the following corrections to the Official Filing Receipt are requested:

**ATTORNEY DOCKET NO. 08010137US07**

**CONTINUING DATA AS CLAIMED BY APPLICANT-**  
**THIS APPLICATION IS A CIP OF 09,232,170 1/15/99**  
**WHICH IS A CIP OF 09/008,186 1/16/98**

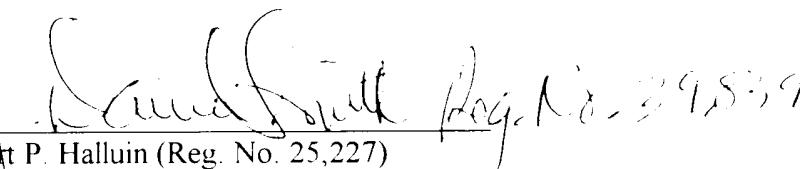
In support of the above request, a photocopy of the instant Official Filing Receipt is enclosed with the corrections noted in red and form PTO-1082 as originally filed. It is therefore believed proper that a corrected Official Filing Receipt be issued, reflecting the correction of all the above-noted error(s). It is further requested that the corrected Official Filing Receipt be sent to the undersigned at the earliest possible time.

NOV 19 1999

It is submitted that this submission is necessitated as a result of an error by the U.S. Patent and Trademark Office. Therefore, it is believed that no fees are due in connection with this submission. However, the U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. A duplicate copy of this Request is enclosed.

Respectfully submitted,

Date: November 19, 1999

  
Albert P. Halluin (Reg. No. 25,227)

**HOWREY & SIMON**  
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FILING RECEIPT  
CORRECTED

NOV 19 1999



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/359,300	07/21/99	1643	\$3,394.00	08010137US0	23	110	11

RECEIVED  
DOCKET DEPT.

ALBERT P HALLUIN  
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WASHINGTON DC 20004

NOV 09 1999

HOWREY &amp; SIMON

RECEIVED  
NOV 10 1999

HOWREY &amp; SIMON (M.P.)

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) MONTO H. KUMAGAI, DAVIS, CA; GUY R. DELLA-CIOPPA, VACAVILLE, CA; ROBERT L. ERWIN, VACAVILLE, CA; DAVID R. MCGEE, VACAVILLE, CA.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 08/18/99

TITLE

METHOD OF DETERMINING THE PRESENCE OF A TRAIT IN A PLANT BY  
TRANSFECTING A NUCLEIC ACID SEQUENCE OF A NON-PLANT DONOR INTO A HOST  
PLANT IN A POSITIVE ORIENTATION

PRELIMINARY CLASS: 435

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLICATION IS A CIP OF 09,232,170 1/15/99

WHICH IS A CIP OF 09/008,186 1/16/98

DOCKETED 9dc 11-9-99

DATA ENTRY BY: SMITH ANNETTE

TEAM: 03 DATE: 11/03/99



(See reverse for new important information)

DOCKETED-VTS